



"The City With a Heart"

Larry Franzella, Mayor
Rico Medina, Vice Mayor
Ken Ibarra, Councilmember
Irene O'Connell, Councilmember
Jim Ruane, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

July 11, 2006

7:00 p.m.

THIS IS TO CERTIFY THAT: The San Bruno City Council met in regular session on July 11, 2006 at the San Bruno Senior Center, 1555 Crystal Springs Road, San Bruno. The meeting was called to order at 7:00.

1. ROLL CALL: Presiding was Mayor Franzella with Vice Mayor Medina, and Councilmembers Ruane, Ibarra and O'Connell in attendance. Recorded by City Clerk Bonner.

PLEDGE OF ALLEGIANCE: Led by Assistant Library Director John Alita.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

ANNOUNCEMENTS:

- a. **The San Bruno Redevelopment Agency** meeting follows tonight's City Council meeting.
- b. Receive Presentation on **American Cancer Society** Relay for Life to be held on August 5 and 6, 2006.

Laura Housfeld from the American Cancer Society announced there would be a Relay for Life event to be held on August 5 and 6 at Capuchino High School. She gave a brief overview of the two-day event and invited anyone who was interested to come out.

Councilmember Ibarra asked how those who could not attend the event could help out.

Laura Housfeld said they could donate to the event, they could be a sponsor, or they could be on a team event even if they couldn't stay for the event.

PRESENTATIONS: None.

2. REVIEW OF AGENDA:

Mayor Franzella said the meeting would be recessed to the Redevelopment Agency meeting after Item 5.d.

3. APPROVAL OF MINUTES: Regular City Council meeting of June 27, 2006.

Councilmember Ibarra made reference to his concerns in the event of any noticeable changes to the Glenview Project and he clarified Council would like a little more specific notification so it could be reviewed and action could be taken appropriately.

City Manager Jackson asked City Council be notified if there were changes? Councilmember Ibarra concurred. City Manager Jackson further clarified any significant changes, which could trigger additional action by the Planning Commission, and or the City Council would be brought in that venue as well.

M/S Ibarra/Medina to approve and passed with unanimous vote.

4. CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

- a. **Approve:** Payroll of June 30, 2006.
- b. **Approve:** Accounts Payable of June 19 and 26, 2006.
- c. Waive second reading and adopt Ordinance Amending the Zoning Map Described in San Bruno Municipal Code Section 12.96.010 Regarding Development of the Glenview Terrace project to Establish a Planned Development District and Adopt a Development Plan for the Glenview Terrace Project.

Mayor Franzella pulled Item 4c.

M/S O’Connell/Ruane to approve and passed with unanimous vote.

Mayor Franzella said regarding Item 4.c., the memo received from the department highlighting Condition 55, New Condition 61, and New Condition 62 be incorporated into Council’s approval.

M/S Franzella/Medina to approve and passed with unanimous vote.

5. PUBLIC HEARINGS: None.

6. UNFINISHED BUSINESS: None.

7. CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACT: None.

8. COMMUNICATIONS:

Receive comments from Angelica Gonzalez, owner of Taqueria Angelica’s regarding revisions to ordinance adding new Chapter 4-20 (Regulation of Vehicle Vendors) adopted on May 23, 2006.

Angelica Gonzalez, Montgomery Ave., addressed the Council regarding the Taco Trucks and said that she was never notified regarding the changes and further expressed her concerns regarding what effect those changes would have on her business.

Mayor Franzella said the ordinance was passed after three public hearings, so we will proceed with the ordinance for six months and staff has been directed to come back in six months to review.

Councilmember Ibarra expressed his concerns regarding notification to the truck drivers; secondly, he asked about private property.

City Manager Jackson said regarding notification, it is correct the vendors were not individually notified by personal notice until approximately the ordinance was approved. The normal process of publishing in the newspaper was also done and there were two public hearings. Regarding the use of private property, the ordinance presently in effect does not address mobile vendors on private property. That issue is covered in the zoning code, which does not allow temporary uses on private properties except in some limited circumstances.

Councilmember Ibarra pointed out that the trucks are mobile and if a customer was to get sick there is no tracking like a restaurant.

Angelica Gonzalez responded she was in the Sears’ parking lot for two and half years and the only requirement was a million dollar insurance bond.

Councilmember Ibarra said there were concerns regarding the increased vehicles along El Camino.

Angelica Gonzalez asked if she would be sited after 30 minutes if she was serving a customer.

Mayor Franzella advised her to use good judgment and she would probably not be sited.

Gemma Naghpour, Elm Ave., expressed her feelings regarding the mobile vendors.

Mayor Franzella said the streets were not designed for vehicle vendors to park permanently. The ordinance was amended to insure they are not taking up permanent space.

Gemma Naghpour asked if they should be allowed to park for two hours.

Mayor Franzella said he didn't believe so.

Gemma Naghpour asked why and **Mayor Franzella** said the ordinance has been passed and she could come back in six months. A discussion ensued regarding notification and the ordinance.

9. STAFF REPORTS:

- a. Fire Chief Voreyer and Police Chief Violetta present oral report on the **July 4, 2006** activities.

Fire Chief Voreyer gave an overview of the public education program, fireworks' booth inspections, Fire Department operations and incidents and the cost of the activities, which amounted to \$21,430.00.

Police Chief Violetta referenced an eight-day enforcement period in comparative analysis to last year. In 2005 there were 340 calls for service compared to 196 calls for service in 2006. Two complaints were received on the fire hot line. 31 arrests were made this year with 54 arrests last year. Fireworks seized were half of last year's total. Cost was approximately \$31,000. compared to \$37,000 in 2005.

Vice Mayor Medina asked about the tax charged to the Fireworks Vendors for the sale of the product and he heard the Council was to blame. He asked how that tax is derived, what is it, and who makes the decision on who charges it.

City Manager Jackson said the City has no involvement in the prices that are set for any of the products sold through the fireworks booth. There is a surcharge initiated by the fireworks industry to the community-based customers. The purpose of that surcharge is to cover the community organization's costs for the services the City provides in connection with the 4th of July event.

Vice Mayor Medina thanked staff for the job done on July 4th and commented on his involvement on that evening.

- b. Review Proposed Water and Wastewater Rate Increases and Proposed Proposition 218 Compliant Process for Adjusting Water and Wastewater Rates.

Financial Director O'Leary gave an extensive overview in a power point presentation to review proposed water and utility rate adjustments and an extended schedule for adoption.

Councilmember Ibarra asked for a brief description of Proposition 218?

Financial Director O'Leary said Proposition 218 was a voter-approved initiative passed in 1996 that required any tax increase be voted on by the public, it also affects fees and assessments.

Councilmember O’Connell asked what would happen if we raised the rates? She asked if we did 8.1 could we accelerate all the things needing to be done.

Financial Director O’Leary said if 7.5% were raised to 8.1%, it would result in \$36,000. additional funds available for capital projects. He said if Council desired to accelerate that project, there is a way to do it.

Councilmember Ibarra said three members of this Council raised the rates in the late 90’s because they did not reflect capital improvement funds. He asked what the percentage was back then?

Financial Director O’Leary said it was 1996 and it was an attempt to kick-start the capital projects.

Councilmember Ibarra said he thought the letter going out to the public should be made easier to read and understand; maybe graphics would illustrate what has been done.

Financial Director O’Leary said the letter was a draft; however, they will be making changes.

Councilmember O’Connell said it would be helpful to let everyone know what has been done so far.

M/S O’Connell/Ruane to direct staff to proceed and passed by a unanimous vote.

c. Receive Report Regarding Proposed Closure of the Road to Beckner Shelter and Alternatives to Improve Security in City Park.

Parks and Recreation Director Mazzuca gave an overview of the staff report regarding closure of the road to Beckner Shelter and outlined their recommendations.

Councilmember Ibarra thanked staff for following up. He said he would go with whatever staff recommended to make their jobs easier.

Vice Mayor Medina asked about the cameras and if they were to become a precedent. What happens if the camera gets stolen? If we have surveillance, where does it stop, what guidelines are going to be given?

Councilmember O’Connell asked about the tables and benches that were not so damaged by graffiti?

Councilmember Ruane agreed with the suggestions with the exception of additional signage.

Mayor Franzella asked what kind of lighting was at the shelter.

Parks Services Manager Perazzo said the Shelter is lit with a photocell that goes on at dusk; there is lighting on a street lamp pole and in the turn-around.

Councilmember O’Connell said it was worth a try to use the surveillance cameras and she felt tow-away signs were good. She asked staff if more ordinance signs would make a difference or a target for graffiti.

Parks and Recreation Director Mazzuca said there could be more graffiti with more signs; however, the intent was to give them warning they could be in violation.

Vice Mayor Medina asked what happens to the camera during the trial basis if it is damaged?

Parks and Recreation Director Mazzuca said he didn’t have the answer but he would find out.

Vice Mayor Medina said the Commission is fully supportive.

Mayor Franzella asked how many cameras.

Parks and Recreation Director Mazzuca replied one or two.

Mayor Franzella asked if two cameras could cover all of Beckner Shelter.

Parks and Recreation Director Mazzuca replied yes. They are powerful cameras.

Mayor Franzella asked how long a period would they lend them to us?

Parks and Recreation Director Mazzuca said two to three weeks but he was going to attempt a longer period of time.

Councilmember Ibarra said he witnessed cars in the turnaround at Beckner after 10:00 pm. He didn't know if the tow away signage would work.

Parks and Recreation Director Mazzuca said the signs could act as a deterrent.

Councilmember Ibarra said he heard what the Vice Mayor said and he felt if this was a precedent that would make the users of the park feel safer, we should revisit.

Parks and Recreation Director Mazzuca said the new restroom at Grundy Park has been hit eighteen times since installation last September. The graffiti does extend beyond Beckner Shelter.

Police Chief Violet said the tow away zone feature provides the ability to tow immediately. Patrols have been stepped up in the Park as well as Grundy Park.

M/S O'Connell/Ibarra to adopt all the recommendations staff has listed with the addition of coming back in three months with a review of investigating graffiti deferring furniture, park, bench and tables and passed with a unanimous vote.

d. Adopt resolution approving the City Manager's Recommended General Fund, Special Revenue Funds, and Enterprise Funds Budget for 2006-07.

City Manager Jackson gave an overview of the City budgets and a brief outline of the staff report and asked for Council's approval of the budget and enhancements. Once Council approves the budget, staff will prepare a final budget document, which fully incorporates all of the action items including the enhancements, and redistribute the budget in its final City Council adopted form.

Vice Mayor Medina expressed his appreciation at the clarification of meetings and conferences and publications and subscriptions. He asked for further clarification under Cable Television.

Finance Director O'Leary said he had the information.

Vice Mayor Medina asked the City Manager because of the two one-time revenues of \$100,000. and \$465,000., the reserves will not need to be used to balance the budget?

City Manager Jackson said as the budget is currently proposed, that is correct.

Councilmember Ibarra asked about the housing tax.. There is a \$1000 fee for every new dwelling, for previous housing, have we not been charging this?

Finance Director O'Leary said the residential tax is a business license tax .

Councilmember Ibarra asked if it was just general fund money.

Finance Director O’Leary concurred.

Councilmember Ibarra said he understood we had been charging it for many years.

City Manager Jackson affirmed and she said the amount was significant and if the permits for the new building were pulled this year, we can be certain there will be a decline next year.

Councilmember Ibarra said this represents approximately 465 new units. City Manager Jackson concurred.

Councilmember Ibarra said the Summerhill Project is roughly 70 units.

City Manager Jackson said Glenview Terrace, Skycrest, Summerhill and SNK are the bulk of those projects.

Councilmember Ibarra said it was nothing extra it is just to highlight that we are getting this.

Vice Mayor Medina asked because of the one-time revenues on both (\$565,000) will there be a shortfall when we go into the next year?

City Manager Jackson said she could not answer that question at this time. This time last year the budget proposed included a \$685,000. use of the reserves. That amount has been reduced.

Councilmember O’Connell asked about the Fire Rescue Training Program, \$52,000., if it was a one-year program or would it continue.

City Manager Jackson said it is a program that continues on an annual basis.

Fire Chief Voreyer said it is anticipated to be a continuing program. The program is shared among four agencies, which is very cost effective.

Councilmember O’Connell said part of the budget involves savings from a Fire Battalion Chief hiring freeze because she understood we are sharing another Battalion Chief with Millbrae on a six-month trial basis. She was concerned at the end of the six-month time; we would be caught in a trap and unable to hire a Battalion Chief. She was concerned about putting the money into overtime costs. She wanted to keep the \$116,000. as one time money this year and make it available in the event it was needed.

Fire Chief Voreyer said he saw two issues, one is how the Battalion Chief is staffed, and the other is how the department is staffed for the suppression and emergency medical response through the use of overtime on occasions. He said \$580,000. is needed to cover overtime expenses. They also have a very good working relationship and cross staffing has worked out well; however, it is not the way to provide the fundamental services for this community.

City Manager Jackson commented the reason that staff clearly understands the prudence on the part of the City Council to not look at this as a permanent arrangement until it can be permanent. It is for that reason that the two Battalion Chief positions are not proposed for elimination in case things do not work out as proposed.

Councilmember Ibarra said overtime has gone out of control. He commended the Fire Chief for his monitoring and managing the overtime.

Councilmember O’Connell asked about fire safe storage for City Clerk’s office documents?

City Manager Jackson said the City Clerk had initiated a solution for a safe storage spot for the files at no cost to the City.

Councilmember O’Connell asked about the establishment of a code enforcement abatement fund.

Mayor Franzella said this might be an item to bring back at a study session to look at code enforcement and establishing some kind of funding mechanism.

Councilmember O’Connell expressed her concerns about the City’s financial records and asked if there was back up?

Financial Director O’Leary said part of technology’s processes is the back up of all of our electronic tapes and he understands on a periodic basis those are removed and stored off-site. Finance’s system is compatible with several other cities. Currently we don’t have offsite storage of hard copies. There is a capital improvement budget for the scanning and electronic maintenance of records that is being looked at now.

Vice Mayor Medina referenced the \$169,000 for the Battalion Chief hiring freeze and said there have been steps to manage the overtime. In cross staffing, he said he worried about response time and the service to community.

Councilmember Ibarra said for the most part he was in favor of the budget.

Councilmember Ruane said he felt very comfortable with the budget and introduced the resolution for adoption.

Councilmember O’Connell said Vice Mayor Medina had not had a chance to finalize their report regarding the City Treasurer and City Clerk and asked that portion of the budget be pulled.

The resolution introduced for adoption by Councilmember Ruane was adopted with all ayes.

Mayor Franzella recessed the Council Meeting to convene to Redevelopment Agency Meeting at 8:12 p.m.

Mayor Franzella reconvened the Council Meeting at 8:15 p.m.

e. Adopt Resolution Approving the City’s appropriations Limit of \$25,715,385 for 2006-07 (Gann Initiative).

Finance Director O’Leary gave a brief overview regarding adoption of appropriation limits

Councilmember Ibarra introduced the resolution for adoption and passed with all ayes.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Robert Riechel thanked staff for helping inform the citizens about mosquito abatement treatments.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

13. NEW BUSINESS: None.

14. ADJOURNMENT:

Mayor Franzella adjourned the meeting with a moment of silence in memory of Angie and Richard Dunbar who tragically lost their lives and also in memory of the royal family of Tonga to express our sympathy to the entire Tongan community.

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There being no further business to transact, the meeting was adjourned at 8:24 p.m. to closed session. The next City Council meeting will be held on Tuesday, July 25, 2006, 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Closed Session:

The Human Resources Director as the City's Negotiator Requests a Closed Session Pursuant to Cal. Gov't Code Section 54957.6 Regarding Direction for Labor Negotiations for Police and Fire Bargaining Units.

Respectfully submitted for approval
at the regular City Council Meeting of
July 25, 2006.

Carol Bonner, City Clerk

Larry Franzella, Mayor